

Notice of Allowability

Application No.

10/751,182

Applicant(s)

YABUSAKI, KENICHI K.

Examiner

Darren W. Ark

Art Unit

3643

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Telephone Interview 9/15/05.
2. ☒ The allowed claim(s) is/are 19,21-25,27-36,40 and 43-47.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☒ Other See Continuation Sheet.



DARREN W. ARK
PRIMARY EXAMINER



Continuation of Attachment(s) 9. Other: Marked-up copies of Figs. 2 and 3.

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with John F. Brady on Thursday, September 15, 2005.

The application has been amended as follows:

Specification:

Page 7, line 23, inserted -- The attachment strip 68 is attached in abutment to the body 62 at one end portion 67 and has an opposite end portion 69 which extends outwardly away from the body 62 and wherein there is a bend 65 in the attachment strip 68 between the one end portion 67 and the opposite end portion 69. The one end portion 67 is a planar surface which is attached to an outer surface of the body 62. The opposite end portion 69 extends from the bend 65 in a cantilevered manner. The loop 70 is pivotally attached to the opposite end portion 69 through an aperture 71 in the opposite end portion 69.-- after "to the body 62".

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Claims:

Claim 19. A tool suitable for use with split shot comprising:

- a) a thimble comprising an approximately circular open end and an approximately circular closed end and a body between the open end and the closed end defining a cavity adapted to receive a finger within the cavity, wherein the open end has a larger radius than the closed end;
- b) a curved blade attached to the thimble at a position near the open end, the curved blade having a curvature approximately matching a radius of curvature of the thimble at the position, the curved blade extending beyond the closed end; and
- c) means for attaching the tool to clothing comprising an attachment strip and a loop, the attachment strip having one end portion attached in abutment to the body and an opposite end portion, and wherein there is a bend in the attachment strip between the one end portion and the opposite end portion, the opposite end portion extending from the bend in a cantilevered manner, and the loop extending through an aperture in the opposite end portion.

Canceled claim 26.

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Claim 36. A tool suitable for use with split shot comprising:

a) a thimble comprising an approximately circular open end and an approximately circular closed end and a body between the open end and the closed end defining a cavity adapted to receive a finger within the cavity, wherein the open end has a larger radius than the closed end;

b) a blade attached to the thimble at a position near the open end, the blade extending slightly beyond the closed end; and

c) ~~means an aperture in the body~~ near the open end suitable for attaching the tool to a fisherperson's vest or to a lanyard device, wherein the means for attaching comprises an attachment strip and a loop, the attachment strip having one end portion attached in abutment to the body and an opposite end portion, and wherein there is a bend in the attachment strip between the one end portion and the opposite end portion, the opposite end portion extending from the bend in a cantilevered manner, the loop extending through an aperture in the opposite end portion.

Canceled claims 37- 39.

Claim 40. The tool of Claim 19 wherein the tool is capable of being attached to a fisherperson's vest.

Canceled claims 41 and 42.

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Claim 45. A tool suitable for use with split shot comprising:

a) a thimble comprising an approximately circular open end and an approximately circular closed end and a body between the open end and the closed end defining a cavity adapted to receive a finger within the cavity, wherein the open end has a larger radius than the closed end;

b) a curved blade attached to the thimble at a position near the open end, the curved blade having a concave side, the concave side in contact with the thimble at the position, the curved blade extending beyond the closed end; and

c) means for attaching the tool to clothing or to a lanyard device, the means for attaching comprising an attachment strip and a loop, the attachment strip having one end portion attached in abutment to the body and an opposite end portion, and wherein there is a bend in the attachment strip between the one end portion and the opposite end portion, the opposite end portion extending from the bend in a cantilevered manner, the loop extending through an aperture in the opposite end portion.

2. The following changes to the drawings have been approved by the examiner and agreed upon by applicant: inserted no. 57 into Fig. 2 to denote the large end and inserted nos. 67 and 69 to denote the one end of the attachment strip and the another opposite end of the attachment strip in Fig. 3. In order to avoid abandonment of the application, applicant must make these above agreed upon drawing changes.

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3. The following is an examiner's statement of reasons for allowance:

In regard to claims 19, 36, and 45, the prior art of record does not disclose a tool suitable for use with split shot comprising the attachment strip having one end portion attached in abutment to the body and the loop extending through an aperture in the opposite end portion.

In regard to claims 22 and 44, the prior art of record does not disclose a method of opening a split shot having a closed slot that is crimped around a fishing line comprising the steps of: placing the curved blade into the closed slot and manipulating the curved blade to open the slot.

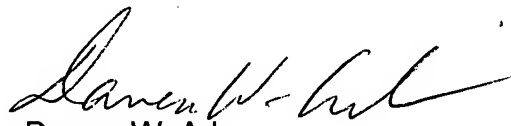
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Darren W. Ark whose telephone number is (571) 272-6885. The examiner can normally be reached on M-Th, 8:00am-6:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter M. Poon can be reached on (571) 272-6891. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Darren W. Ark
Primary Examiner
Art Unit 3643

DWA

*Drawing Convention Approved
DWA 9/15/05*

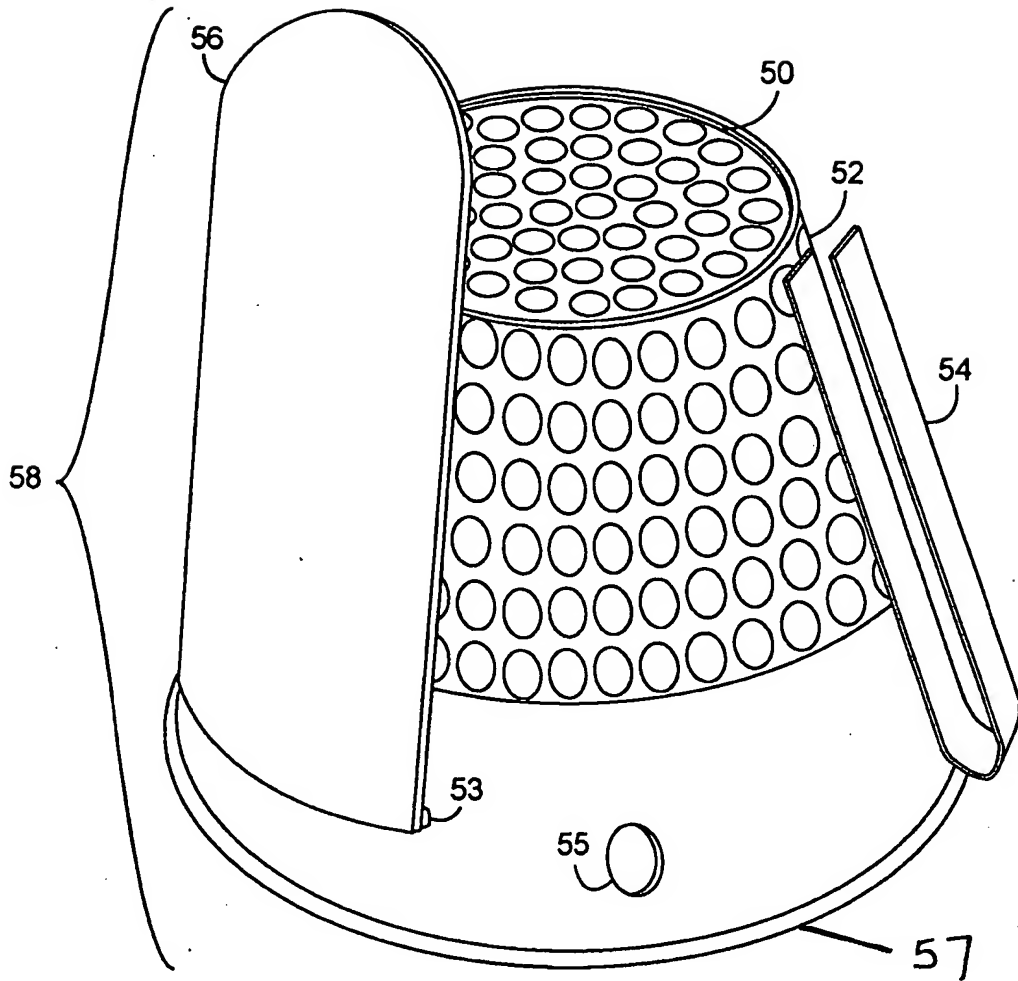


Fig. 2

*Drawing Creation Approved
DWA 9/15/05*

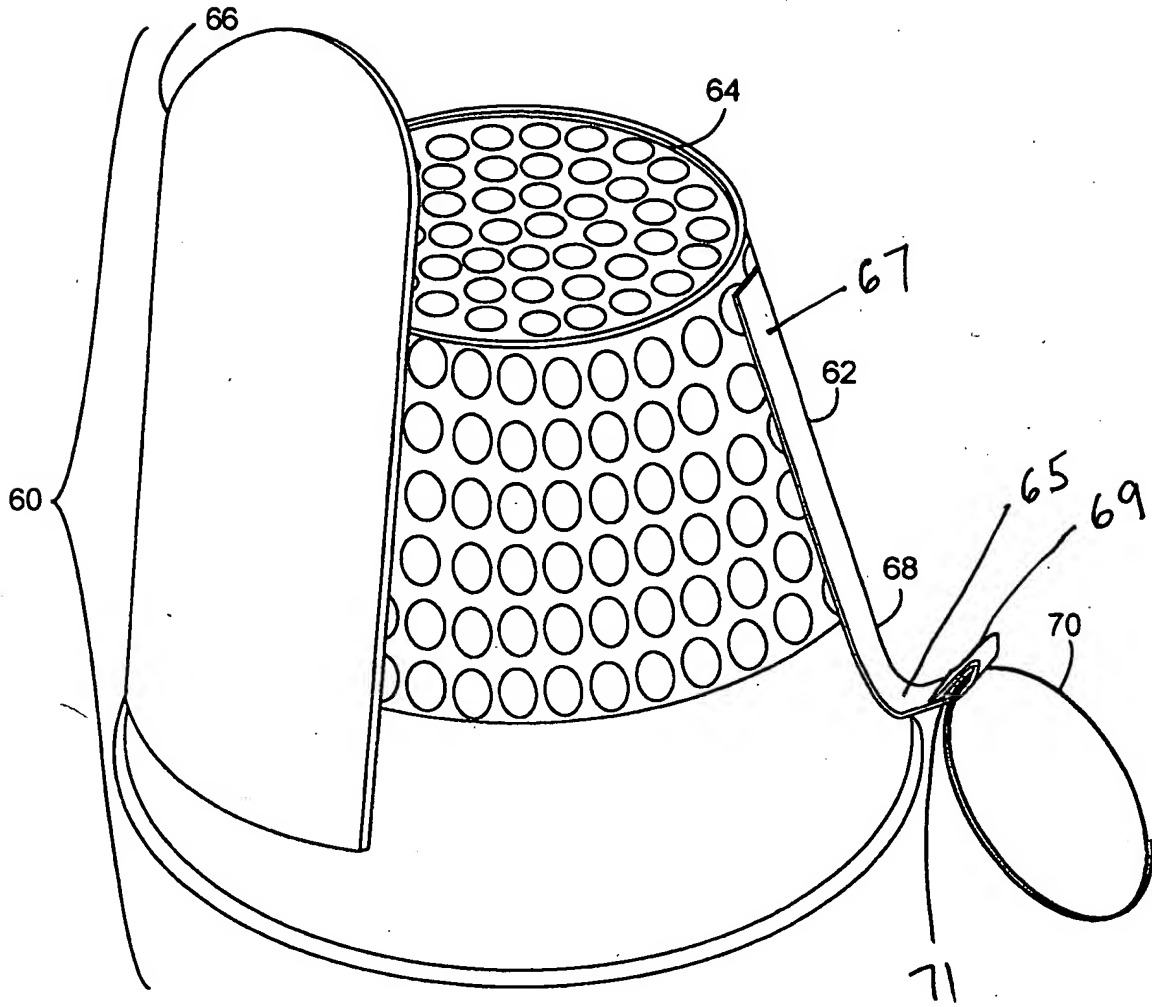


Fig. 3